

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

WINSTAR COMMUNICATIONS, INC., et al.,

Debtors.

CHRISTINE C. SHUBERT, CHAPTER 7  
TRUSTEE OF WINSTAR  
COMMUNICATIONS, INC. AND WINSTAR  
WIRELESS, INC.,

Plaintiff,

v.

LUCENT TECHNOLOGIES INC.,

Defendant.

Chapter 7

Case No. 01-01430  
(Jointly Administered)

Adv. Pro. No. 01-01063 (JBR)

**STIPULATION BY AND BETWEEN THE TRUSTEE AND  
LUCENT TECHNOLOGIES INC. CONCERNING  
LUCENT'S RECORD DESIGNATIONS**

WHEREAS, Lucent Technologies Inc. ("Lucent") filed its Appellant's Designation of Items To Be Included In The Record On Appeal (the "Record Designation") on January 19, 2006; and

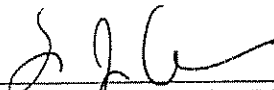
WHEREAS, Christine C. Shubert, chapter 7 Trustee of Winstar Communications, Inc. and Winstar Wireless, Inc. (the "Trustee"), objected to, among other things, Lucent's inclusion in the Record Designation of trial exhibits designated by the parties that were not admitted in evidence at trial; and

WHEREAS, Lucent responded by offering to agree to delete those trial exhibits that were neither offered to the Court (specifically encompassing those forming part of an offer of proof) nor admitted by the Court; and

WHEREAS, given each of the Parties' positions with regard to the trial exhibits, the Court ruled that the Parties are to agree on a list of trial exhibits to be included in the record on appeal.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties that Lucent's Record Designation is hereby amended, pursuant to the Court's order dated February 16, 2006, and restated as reflected on exhibit A, which is entitled "Appellant's Amended Designation of Items To Be Included In The Record On Appeal."


Dated: March 1, 2006  
Wilmington, Delaware

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